

105TH CONGRESS
1ST SESSION

S. 739

To validate conveyances of certain lands in the State of Nevada that form part of the right-of-way granted by the United States to the Central Pacific Railway Company.

IN THE SENATE OF THE UNITED STATES

MAY 14, 1997

Mr. BRYAN (for himself and Mr. REID) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To validate conveyances of certain lands in the State of Nevada that form part of the right-of-way granted by the United States to the Central Pacific Railway Company.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Reno, Nevada, Rail-
5 road Right-of-Way Conveyance Validation Act”.

6 **SEC. 2. VALIDATION OF CONVEYANCES.**

7 Except as provided in section 4, the conveyances de-
8 scribed in section 3 (involving certain lands in Washoe

1 County, State of Nevada) concerning lands that form
 2 parts of the right-of-way granted by the United States to
 3 the Central Pacific Railway Company in the Act entitled
 4 “An Act to aid in the Construction of a Railroad and Tele-
 5 graph Line from the Missouri River to the Pacific Ocean,
 6 and to secure to the Government the Use of the same for
 7 Postal, Military, and Other Purposes,” approved July 1,
 8 1862 (12 Stat. 489), hereby are legalized, validated, and
 9 confirmed, as far as any interest of the United States in
 10 such lands is concerned, with the same force and effect
 11 as if the land involved in each such conveyance had been
 12 held, on the date of such conveyance, under absolute fee
 13 simple title by the grantor of such lands.

14 **SEC. 3. CONVEYANCES OF LANDS IN WASHOE COUNTY,**
 15 **STATE OF NEVADA.**

16 The conveyances of land in Washoe County, State of
 17 Nevada, referred to in section 2 are as follows:

18 (1) The conveyance entered into between
 19 Charles Crocker, grantor, and A. Montminy, grant-
 20 ee, recorded June 10, 1868, in book 2, at page 417,
 21 in the deed records of the county of Washoe.

22 (2) The conveyance entered into between
 23 Charles Crocker, grantor, and U. Harris, grantee,
 24 recorded June 22, 1868, in book 2, at page 430, in
 25 the deed records of the county of Washoe.

1 (3) The conveyance entered into between
2 Charles Crocker, grantor, and Mark Lovely, grantee,
3 recorded July 16, 1868, in book 2, at page 569, in
4 the deed records of the county of Washoe.

5 (4) The conveyance entered into between
6 Charles Crocker, grantor, and Marco Medin and
7 Paul Mavrich, grantees, recorded July 20, 1868, in
8 book 2, at page 462, in the deed records of the
9 county of Washoe.

10 (5) The conveyance entered into between
11 Charles Crocker, grantor, and S. Barclay, grantee,
12 recorded September 21, 1868, in book 2, at page
13 513, in the deed records of the county of Washoe.

14 (6) The conveyance entered into between
15 Charles Crocker, grantor, and John Piper, grantee,
16 recorded December 18, 1868, in book 2, at page
17 613, in the deed records of the county of Washoe.

18 (7) The conveyance entered into between
19 Charles Crocker, grantor, and William H. Potter,
20 grantee, recorded June 28, 1869, in book 3, at page
21 15, in the deed records of the county of Washoe.

22 (8) The conveyance entered into between
23 Charles Crocker, grantor, and O.C. Madden, grant-
24 ee, recorded November 16, 1870, in book 3, at page
25 299, in the deed records of the county of Washoe.

1 (9) The conveyance entered into between
2 Charles Crocker, grantor, and Peter Zenovich and
3 George Zenovich, grantees, recorded August 12,
4 1871, in book 3, at page 519, in the deed records
5 of the county of Washoe.

6 (10) The conveyance entered into between
7 Charles Crocker, grantor, and Mrs. M.A. Pine,
8 grantee, recorded August 21, 1871, in book 3, at
9 page 527, in the deed records of the county of
10 Washoe.

11 (11) The conveyance entered into between
12 Charles Crocker, grantor, and T.R. Hughes, grantee,
13 recorded October 11, 1871, in book 3, at page 552,
14 in the deed records of the county of Washoe.

15 (12) The conveyance entered into between
16 Charles Crocker, grantor, and Joseph Leonard,
17 grantee, recorded December 10, 1873, in book 4, at
18 page 568, in the deed records of the county of
19 Washoe.

20 (13) The conveyance entered into between
21 Charles Crocker, grantor, and S.M. Jamison, grant-
22 ee, recorded August 17, 1875, in book 5, at page
23 606, in the deed records of the county of Washoe.

24 (14) The conveyance entered into between
25 Charles Crocker, grantor, and W.R. Chamberlain

1 and W.S. Bender, grantees, recorded April 6, 1876,
2 in book 6, at page 77, in the deed records of the
3 county of Washoe.

4 (15) The conveyance entered into between
5 Charles Crocker, grantor, and C.S. Martin, grantee,
6 recorded September 29, 1880, in book 8, at page
7 628, in the deed records of the county of Washoe.

8 (16) The conveyance entered into between
9 Charles Crocker, grantor, and E.C. McKenney,
10 grantee, recorded October 7, 1881, in book 9, at
11 page 296, in the deed records of the county of
12 Washoe.

13 (17) The conveyance entered into between
14 Charles Crocker, grantor, and Josephine E.
15 McCutchen, grantee, recorded May 2, 1891 in book
16 15, at page 401, in the deed records of the county
17 of Washoe.

18 (18) The conveyance entered into between the
19 Southern Pacific Transportation Company, grantor,
20 and Lincoln Management Company, Inc., a Nevada
21 corporation, as to an undivided 50 percent interest,
22 Donald L. Carano, a married man, as to an undi-
23 vided 33 percent interest, and Raymond J. Poncia,
24 Jr., an unmarried man, as to an undivided 17 per-
25 cent interest, as tenants in common, grantees, re-

1 corded September 30, 1988, in book 2806, at page
2 950, as instrument no. 1278084, in the official
3 records of the county of Nevada.

4 (19) The conveyance entered into between the
5 Southern Pacific Transportation Company, grantor,
6 and Western Pacific Development Corp., a Delaware
7 corporation, grantee, recorded October 5, 1988, in
8 book 2809, at page 522, as instrument no. 1279168,
9 and by Correction Deed recorded July 31, 1989, in
10 book 2943, at page 902, as instrument no. 1340306
11 in the official records of the county of Nevada.

12 (20) The conveyance entered into between the
13 Southern Pacific Transportation Company, grantor,
14 and Zante, Inc., a Nevada corporation, grantee, re-
15 corded May 31, 1989, in book 2916, at page 825,
16 as instrument no. 1327855 in the official records of
17 the county of Nevada.

18 (21) The conveyance entered into between
19 Southern Pacific Transportation Company, grantor,
20 and Frank F. Knafelc, an individual, grantee, re-
21 corded September 29, 1989, in book 2971, at page
22 120, as instrument no. 1352564 in the official
23 records of the county of Nevada.

24 (22) The conveyances entered into between the
25 Southern Pacific Transportation Company, grantor,

1 and George E. Croom, Jr., and Sharon M. Croom,
2 as Trustees of The Lake Trust, grantee, recorded
3 August 25, 1990, in book 3131, at page 608, as in-
4 strument no. 1422684 in the official records of the
5 county of Nevada.

6 (23) The conveyance entered into between the
7 Southern Pacific Transportation Company, grantor,
8 and the Redevelopment Agency of the City of Reno,
9 a governmental agency, grantee, recorded December
10 11, 1992, in book 3630, at page 297, as instrument
11 no. 1629655 in the official records of the county of
12 Nevada.

13 **SEC. 4. LIMITATIONS ON VALIDATION OF CONVEYANCES.**

14 (a) SCOPE.—Nothing in this Act shall be construed
15 to—

16 (1) diminish the right-of-way referred to in sec-
17 tion 2 to a width of less than fifty feet on each side
18 of the center of the main track or tracks maintained
19 by the Southern Pacific Transportation Company on
20 the date of enactment of this Act; or

21 (2) legalize, validate, or confirm, with respect to
22 any land that is subject of a conveyance referred to
23 in section 3, any right or title to, or interest in, such
24 land arising out of adverse possession, prescription,

1 or abandonment, and not confirmed by such convey-
2 ance.

3 (3) impair any existing rights of access in favor
4 of the public or any owner of adjacent lands over,
5 under or across the lands which are referred to in
6 section 3.

7 (b) MINERALS.—

8 (1) The United States hereby reserves any fed-
9 erally-owned minerals that may exist in land that is
10 conveyed pursuant to section 2 of this Act, including
11 the right of the United States, its assignees or les-
12 sees, to enter upon and utilize as much of the sur-
13 face of said land as is necessary to remove minerals
14 under the laws of the United States.

15 (2) Any and all minerals reserved by paragraph
16 (1) are hereby withdrawn from all forms of entry,
17 appropriation, and patent under the mining, mineral
18 leasing, and geothermal leasing laws of the United
19 States.

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